IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 1750 of 1999

For Approval and Signature:

HON'BLE MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

JAYANTIBHAI NAGINBHAI RATHVA

Versus

RAMSINGBHAI BALGABHAI RATHVA

Appearance:

1. Civil Revision Application No. 1750 of 1999

MR HARESH J TRIVEDI for Petitioner No. 1

MR MP PRAJAPATI for Respondent No. 1

RULE SERVED for Respondent No. 2

MR HIMANSU M PADHYA for Respondent No. 3

CORAM : HON'BLE MR.JUSTICE P.B.MAJMUDAR

Date of decision: 13/04/2004

ORAL JUDGEMENT

The petitioner herein is the original defendant No.1 of Regular Civil Suit No.2/1992. The said suit is filed by the present respondents No.1 and 2 herein, for recovering Rs.16,000/- with 6% interest. In the aforesaid suit, the learned trial Judge has passed an order below Exh.21, by which the trial Court ordered for deducting Rs.500/- from monthly salary of defendant No.1

and Yadi to that effect is also sent to the Reserve Police Inspector, Vadodara Headquarter, Vadodara city, under whom the defendant No.1 is serving. The said order is impugned in this Civil Revision Application and the same is stayed by this Court at the time of admitting this matter.

2) It is submitted by both the learned advocates with consent that the interim relief granted by this Court may be continued and the suit may be ordered to be expedited. In view of the consent of both the parties, following order is passed :

The interim relief granted by this Court, by which the impugned order of the trial Court is stayed, is ordered to be continued till the Regular Civil Suit No.2/1992 is decided. Considering the fact that the suit is of 1992, the learned Civil Judge, before whom the suit is pending, is directed to dispose of the aforesaid suit as early as possible and in any case latest within a period of two years from today.

3) Writ to be sent to the Civil Court, Vadodara, for deciding the aforesaid suit within the stipulated time.

4) In view of what is stated above, Mr.Trivedi wants permission to withdraw this Civil Revision Application. Permission is granted. Accordingly, this Civil Revision Application is disposed of as withdrawn. Rule is discharged. No costs.

(P.B.Majmudar,J.)

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